

Fair Political Practices Commission
MEMORANDUM

To: Chairman Johnson, Commissioners Hodson, Huguenin, Leidigh and Remy
From: Scott Hallabrin, General Counsel
Subject: Regulatory Proposals for 2008
Date: January 31, 2008

Below is a list of regulations currently before the Commission and a general description of proposed major regulatory action, to date, for calendar year 2008. Depending on urgency and workload, staff may propose additional major regulatory action for the Commission to consider for this year and bring minor regulatory proposals to the Commission for its consideration.

Staff will modify the list of future regulatory proposals as directed by the Commission at this or any future Commission meeting.

Regulations Currently Before Commission

- New Regulation 18421.7 (reporting information on use of campaign funds for travel, meals and gifts) and amendments to Regulation 18401 (recordkeeping for Regulation 18421.7) – Scheduled for adoption at February meeting.
- Amendments to Regulation 18360 (the complaint process) – Scheduled for prenotice discussion at February meeting.
- New Regulation 18413 (campaign reporting for multi-purpose nonprofit organizations in reaction to court decision in *California ProLife Council, Inc. v. Randolph*) – Currently in effect as an emergency regulation; scheduled for adoption at March meeting.
- Amendments to Regulation 18997 (CalPERS candidate audits) – Scheduled for adoption at March meeting.
- New Regulation 18735 (Statements of Economic Interests for designated employees who transfer within same agency or whose reporting category changes) – Scheduled for adoption at March meeting.

Future Regulatory Proposals

- Regulation 18944.2 (gifts to an agency) – Consider amendments to improve reporting and restrict scope of the exception.

- Member Communications – Consider amending Regulation 18531.7 and adding other regulations to define scope of member communications rules in Government Code Section 85312.
- Legal Defense Funds for Local Candidates – Implement Government Code Section 85304.5, which permits a local candidate to establish a legal defense fund, subject to certain restrictions.
- Gift Regulations – Consider amending various Commission regulations on gifts to bring them into greater conformity with the Political Reform Act.
- “Primarily Formed Committee” – Define, for purposes of Government Code Section 82047.5, when a committee “exists primarily” to support or oppose candidates and measures.
- State, County and City General Purpose Committees – Define when a general purpose committee is a state, county or city committee.
- “Principal Officers” – Define who a committee’s “principal officers” are for purposes of Government Code Section 84102(c).
- Independent Expenditures – Consider new or amended regulations to address issues on independent expenditures discussed in the informational portion of the Commission’s February 2008 meeting.
- U.C. Hastings Regulation Project – Consider recommendations from the Center for State and Local Government Law at the University of California Hastings College of the Law on clarifying Commission regulations and bringing them into stylistic conformity.